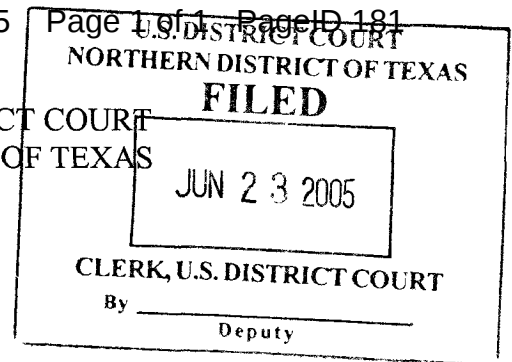


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



UNITED STATES OF AMERICA

v.

JUAN ESTEBAN JUAREZ-AGUILAR

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2:03-CR-0105 (01)


**ORDER ADOPTING REPORT AND RECOMMENDATION and
DISMISSING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Defendant has filed a motion to vacate, set aside or correct sentence by a person in federal custody. On June 6, 2005, the United States Magistrate Judge entered a Report and Recommendation recommending therein that defendant's motion be dismissed as premature. No objections to the Report and Recommendation have been filed of record as of this date.

The United States District Judge has made an independent examination of the record in this case and has examined the Report and Recommendation of the Magistrate Judge. The District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. It is the further ORDER of the Court that this motion to vacate, set aside or correct sentence is, in all things, DISMISSED.

IT IS SO ORDERED.

ENTERED this 23rd day of June 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE